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Docket No. _____

Please provide the appropriate information in the () areas in the heading below.

Applicant's Name: **Epana Networks, Inc.**
Address of Applicant: **2 Penn Plaza, Suite 1500**
New York, NY 10121

Epana Networks, Inc.

Application for a Certificate of Authority to
Provide Facilities-based and Resold Local
and Interexchange Telecommunications
Services Throughout the State of Illinois.

Docket No. 02-0184

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**

GENERAL

1. Applicant's Name(including d/b/a, if any) **Epana Networks, Inc.** FEIN # 13-4137760
Address: Street **2 Penn Plaza, Suite 1500**
City **New York**
State/Zip **New York 10121**
2. Authority Requested: (Mark all that apply) ☒ 13-403 Facilities Based Interexchange
☒ 13-404 Resale of Local and/or
Interexchange
☒ 13-405 Facilities Based Local
3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

<u> X </u>	Part 710 Uniform System of Accounts for Telecommunications Carriers
<u> X </u>	Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois
<u> X </u>	Section 735.180 Directories
<u> X </u>	Other:

Epana requests permission to maintain its books and records at principal place of business pursuant to 83 Ill. Admin Code Part 250.

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document;
 - (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
 - (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
 - (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

See Attachment A.

5. In what area of the state does the Applicant propose to provide service?

Epana Networks, Inc. ("Epana") plans to offer competitive facilities-based and resold local exchange telecommunications services throughout the State of Illinois where the Commission has authorized competition or later finds is subject to competition pursuant to 47 USC § 251(f). Epana plans to offer resold and facilities-based interexchange services statewide. Epana's initial service offerings will focus on high speed data and Internet access provided over its next generation gigabit Ethernet network.

6. Please attach a sheet designating contact persons to work with Staff on the following issues related to processing this application
- a) consumer issues
 - b) customer complaint resolution
 - c) technical and service quality issues
 - d) "tariff" and pricing issues
 - e) 9-1-1 issues
 - f) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

See Attachment B.

7. Please check type of organization?

☐ Individual
☐ Partnership

☒ Corporation
Date corporation was formed
In what state?

September 21, 2000
Delaware

☐ Other (Specify)

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois. **See Attachment C.**

9. List jurisdictions in which Applicant is offering service(s).

New York.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

☐ YES (Please provide details) ☒ NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

☐ YES ☒ NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

☐ YES ☒ NO

If YES, please list: By way of background, Epana was originally incorporated under the name Tsunami Networks, Inc. d/b/a Epana Networks in Delaware on September 21, 2000. It has conducted business as Epana Networks, Inc. The company, however, has recently amended its corporate charter to reflect Epana Networks, Inc. as its primary name and to remove its former name, Tsunami Networks, Inc. Accordingly, Epana provides as Attachment C, a copy of its amended Delaware Articles of Incorporation reflecting the name change.

13. Will the Applicant keep its books and records in Illinois?

☐ YES ☒ NO

If NO, permission pursuant to 83 Ill. Admin. Code Part 250 needs to be requested.

See Attachment D.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

See Attachment E.

15. List officers of Applicant.

Elie N. Seidman	President, CEO, & Chairman
Edmund E. Mallett III	Vice President of Operations
Meryl S. Ravitz	Controller & Secretary
Ariel Charytan	Director of Business Development
Ronen Glimer	Director of Marketing
Robert J. Conrads	Director
Alex Millar	Director

16. Does any officer of Applicant have an ownership or other interest in any other entity, which has provided or is currently providing telecommunications services? YES X NO

If YES, list entity. _____

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

See Attachment F.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

See Attachment G.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? X YES NO

20. What telephone number(s) would a customer use to contact your company?

For sales inquires, customers may contact Epana toll-free at (866) 55EPANA ((866) 553-7262) and for all other inquiries customers may contact Epana at (866) 553-7263. Epana's provisioning and maintenance department is available by email at: maintenance@epana.com.

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

See Attachment H.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 735, 755, 756, 757, 770, and 772?

☒ YES ☐ NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

See Attachment I, which Epana files separately, under seal and subject to its Motion for Protective Order pursuant to 83 Ill. Admin. Code § 200.430, which Epana submits contemporaneously with this Application.

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☒ YES ☐ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

Epana intends to provide its customers, *inter alia*, virtual private networks and other broadband network solutions utilizing its own facilities, which will form the basis for a metropolitan area network ("MAN") of multi-gigabit Ethernet links between central offices ("CO") and major collocation facilities. In each CO and collocation facility, Epana will place its transmission devices to support T1 and T3 circuits. Epana will deliver T1 and T3 circuits by provisioning unbundled network elements ("UNEs") from each customer location back to the CO, and will connect those circuits via high-speed transport to Epana's Ethernet MANs and backbone facilities. Epana will accept handoff of multiple end-user circuits over a single Ethernet from larger customers (such as Internet service providers) in any of the collocation facilities in which Epana has a presence. Epana's collocated equipment will segregate and deliver communications from the Internet service provider to an individual end user's CO via Epana's Ethernet MAN, where the data will be placed on a UNE for final delivery to the end user.

If NO, which facility provider(s)'s services does the Applicant intend to use?

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

See Attachment J.

28. Will technical personnel be available at all times to assist customers with service problems?

 X YES NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls?

Not Applicable



Elie Seidman, President, CEO & Chairman, Epana Networks, Inc.

VERIFICATION

This application shall be verified under oath.

OATH

State of **New York**)
City of New York) SS:
Borough of **Manhattan**)

Elie N. Seidman, makes oath and says that he is **President, CEO & Chairman of Epana Networks, Inc.**, that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.

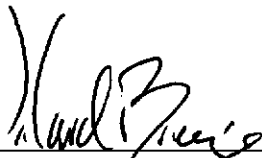


(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/

(Title of person authorized to administer oaths)

in the State and County above named, this 11th day of February, 2002.



(Signature of person authorized to administer oath)

WARD BREEZE
Notary Public, State of New York
No. 02BR6004866
Qualified in New York County
Commission Expires March 30, 2002

EXHIBIT LIST

Attachment A	Response to Application Question No. 4: Appendices A- D
Attachment B	Response to Application Question No. 6: Contact Information
Attachment C	Articles Of Incorporation And Certificate Of Authority To Transact Business In Illinois
Attachment D	Response to Application Question No. 13
Attachment E	Response to Application Question No. 14
Attachment F	Response to Application Question No. 17
Attachment G	Response to Application Question No. 18
Attachment H	Response to Application Question No. 22
Attachment I	Response to Application Question No. 25: Income Statement And Balance Sheet <i>(Separately filed subject to Motion for Protective Order, 83 Ill. Admin. Code § 200.430)</i>
Attachment J	Response to Application Question No. 27
Attachment K	Response to Attachment A, Appendix A, Question No. 1
Attachment L	Response to Attachment A, Appendix A, Question No. 14
Attachment M	Response to Attachment A, Appendix C, Question No. 9 Chart of Accounts <i>(Separately filed subject to Motion for Protective Order, 83 Ill. Admin. Code § 200.430)</i>